



Senate

General Assembly

File No. 109

February Session, 2018

Substitute Senate Bill No. 311

Senate, March 28, 2018

The Committee on Children reported through SEN. MOORE, M. of the 22nd Dist. and SEN. SUZIO of the 13th Dist., Chairpersons of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE DEFINITION OF SEX TRAFFICKING.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53a-192a of the 2018 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective July 1, 2018*):

4 (a) A person is guilty of trafficking in persons when such person (1)
5 knowingly compels or induces another person to engage in conduct
6 involving sexual contact with one or more third persons, or provide
7 labor or services that such person has a legal right to refrain from
8 providing, by means of (A) the use of force against such other person
9 or a third person, or by the threat of use of force against such other
10 person or a third person, (B) fraud, or (C) coercion, as provided in
11 section 53a-192, (2) compels or induces another person who is under
12 eighteen years of age to engage in conduct involving sexual contact
13 with one or more third persons that constitutes sexual contact for
14 which such third person may be charged with a criminal offense, or (3)

15 otherwise commits an act that constitutes sex trafficking. For the
16 purposes of this subsection, "sexual contact" means any contact with
17 the intimate parts of another person, and "sex trafficking" means the
18 recruitment, harboring, transportation or provision of a person for the
19 purpose of engaging in sexual conduct with another person [for a fee]
20 in exchange for anything of value.

21 (b) Trafficking in persons is a class A felony.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2018	53a-192a

KID*Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 19 \$	FY 20 \$
Correction, Dept.	GF - Potential Cost	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill expands the charge of sex trafficking to include the exchange of anything of value instead of a fee and results in a potential cost for increased incarcerations. In FY 17 there were five arrests under this charge, of which four charges were dismissed, though it is believed that incidents occur currently where a potential victim is compensated non-monetarily and would not be prosecuted for this charge under current law.

On average, the marginal cost to the state for incarcerating an offender for the year is \$1,900¹.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

¹ Inmate marginal cost is based on increased consumables (e.g. food, clothing, water, sewage, living supplies, etc.) This does not include a change in staffing costs or utility expenses because these would only be realized if a unit or facility opened.

OLR Bill Analysis**sSB 311*****AN ACT CONCERNING THE DEFINITION OF SEX TRAFFICKING.*****SUMMARY**

This bill broadens the definition of sex trafficking, for which a person may be charged with trafficking in persons, to include recruitment, harboring, transportation, or provision of a person for the purpose of engaging in sexual conduct with another person in exchange for anything of value, instead of for a fee as under current law.

The crime of trafficking in persons also includes compelling or inducing a person to either engage in conduct involving sexual contact with one or more third persons, or provide labor or services that the person has a legal right to refrain from providing. This may be done through using force or the threat of force against the person or a third person, fraud, or coercion. The bill specifies that these behaviors constitute trafficking in persons when they are done knowingly.

By law, unchanged by the bill, trafficking in persons is a class A felony punishable by up to 25 years in prison, up to a \$20,000 fine, or both.

EFFECTIVE DATE: July 1, 2018

COMMITTEE ACTION

Committee on Children

Joint Favorable Substitute

Yea 12 Nay 0 (03/15/2018)